

SEP 24 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey E. Devall

Serial No.: 10/087,328

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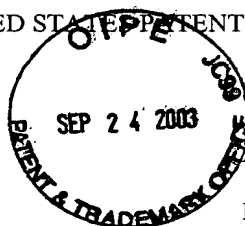
For: TANK REFUELING SHUTOFF VALVE AND VENT SYSTEM

Conf. No.: 3042

Art Unit: 3753

Examiner: Gerald A. Michalsky

Assistant Commissioner for Patents
Washington, D.C. 20231



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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION WITH CERTIFICATE UNDER 37 CFR §3.73(b)

The owner, Stant Manufacturing Inc. certifies that it is the assignee of the entire right title and interest in the patent application identified above (which is a continuation of application 60/273,074 filed March 2, 2001), the assignment of which was recorded at Reel 012672 and Frame 0207 by the U.S. Patent and Trademark Office and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Application No. 10/079,163 filed February 19, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application or patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to 156 and 173 of the prior patent application or patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all the documents in the claim of title of the patent application identified with heading above and to the best of undersigned knowledge and belief, title is in the assignee identified above and the undersigned is empowered to sign the terminal disclaimer and certificate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of (\$55/110) under 37 CFR 1.20(d) is enclosed.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in this and in other fees, be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010.

9/24/03

Mark M. Newman
Reg. No. 31,472

☐ Terminal disclaimer fee under 37 CFR 1.20(d) should be charged to Deposit Account No. 02.1010 (____/____).

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